

3 A RESOLUTION finding, determining and
4 ratifying an inducement resolution of
5 the Fort Wayne Economic Development
6 Commission authorizing the issuance and
7 sale of \$1,000,000 Economic Revenue Bonds
8 of the City of Fort Wayne, Indiana, for
9 the purpose of inducing the applicant to
10 proceed with the acquisition, construction
11 and equipping of the Project.

12 WHEREAS, the City of Fort Wayne, Indiana (the "Issuer")
13 is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds
14 for the financing of economic development facilities, the funds
15 from said financing to be used for the acquisition, construction
16 and equipping of said facilities either directly or by loan to a
17 company and said facilities to be either directly owned by a
18 company or leased to a company or sold to a company; and

19 WHEREAS, Keebler Company (the "Applicant") has advised
20 the Fort Wayne Economic Development Commission and the Issuer
21 that it proposes that the Issuer acquire, construct and equip an
22 economic development facility and sell or lease the same to the
23 Applicant or that the Issuer loan the proceeds of such a financing
24 to the Applicant for such purposes said economic development
25 facility to be a 22,000 square foot warehouse and distribution
26 facility including the real estate on which it is located, Research
27 Drive, Interstate Industrial Park in Fort Wayne, Indiana; and

28 WHEREAS, the Keebler Company will guarantee all bond
29 payments, if necessary; and

30 WHEREAS, the diversification of economic development
31 and increase in job opportunities (22 new jobs) to be achieved
32 by the acquisition, construction and equipping of the Project
33 will be of public benefit to the health, safety and general
34 welfare of the Issuer and its citizens; and

35 WHEREAS, having received the advice of the Fort Wayne

1 Economic Development Commission, it would appear that the
2 financing of the Project would be of public benefit to the
3 health, safety and general welfare of the Issuer and its
4 citizens; and

5 WHEREAS, the acquisition and construction of the facility
6 will not have an adverse competitive effect on any similar facility
7 already constructed or operating in or about Fort Wayne, Indiana;

8 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
9 OF FORT WAYNE, INDIANA:


10 1. The Common Council finds, determines, ratifies and
11 confirms that the promotion of diversification of economic
12 development and job opportunities in and near Fort Wayne, Indiana,
13 and in Allen County, is desirable to preserve the health, safety
14 and general welfare of the citizens of the Issuer; and that it
15 is in the public interest that the Fort Wayne Economic Development
16 Commission and said Issuer take such action as it lawfully may to
17 encourage diversification of industry and promotion of job
18 opportunities in and near said Issuer.

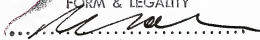
19 2. The Common Council further finds, determines, rati-
20 fies and confirms that the issuance and sale of revenue bonds in
21 an amount not to exceed \$1,000,000 of the Issuer under the Act
22 for the acquisition, construction and equipping of the Project
23 and the sale or leasing of the Project to the Applicant or the
24 loaning of the proceeds of such a financing to the Applicant
25 for such purposes will serve the public purposes referred to
26 above, in accordance with the Act.

27 3. In order to induce the Applicant to proceed with
28 the acquisition, construction and equipping of the Project, the
29 Common Council hereby finds, determines, ratifies and confirms
30 that (i) it will take or cause to be taken such actions pursuant
31 to the Act as may be required to implement the aforesaid financing,
32 or as it may deem appropriate in pursuance thereof, provided that
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1 all of the foregoing shall be mutually acceptable to the Issuer
2 and the Applicant; (ii) it will adopt such ordinances and resolu-
3 tions and authorize the execution and delivery of such instruments
4 and the taking of such action as may be necessary and advisable
5 for the authorization, issuance and sale of said economic
6 development bonds.
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8 4. All costs of the Project incurred after the passage
9 of this inducement resolution, including reimbursement or repayment
10 to the Applicant of moneys expended by the Applicant for planning,
11 engineering, interest paid during construction, underwriting
12 expenses, attorney and bond counsel fees, acquisition, construc-
13 tion and equipping of the Project will be permitted to be included
14 as part of the bond issue to finance said Project, and the Issuer
15 will thereafter either sell or lease the same to the Applicant
16 or loan the proceeds of such financing to the Applicant for the
17 same purposes.
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21 Councilman
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31 APPROVED AS TO
32 FORM & LEGALITY
33 
34 William N. Salin, City Attorney
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Read the first time in full and on motion by _____, seconded by

_____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by V. Schmidt,

seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 7-24-79

Charles W. Winterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. R-35-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Winterman
CITY CLERK

Winfred C. Moore Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th

day of July, 1979 at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Winterman
CITY CLERK

Approved and signed by me this 31st day of July, 1979,

at the hour of 3 o'clock _____ M., E.S.T.

Robert E. Armstrong
MAYOR